

REMARKS

In the Office Action mailed the Examiner noted that claims 1-10 were pending, and rejected all claims. Claims 1, 3-5 and 8-11 have been amended, new claim 11 has been added and, thus, in view of the forgoing claims 1-11 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

On page 2 of the Office Action the Examiner rejected all claims under 35 U.S.C. § 102 as anticipated by Peters.

Peters is directed to a system that provides what is sometimes called a Universal Mobile Telecommunication System (UMTS). In the Peters system (see figure 1) service areas A1 - A6 are defined by location information. Each of the locationally defined service areas provides the same service to a user.

In contrast, the present invention has defined "freely" settable "area" information for which there is a "corresponding" defined service program providing a "different" or corresponding service for each area. That is, each area defined by location provides a different service (see, for example, claim 1).

In the Peters system, the system determines whether the user is within one of the service areas A1-A6 and then provides the same service to the user no matter in which locationally defined service area the user is located.

In contrast, the present invention determines ("makes a decision) whether the user is within a locationally defined service area. The system then executes the service "corresponding" to the service area where the "different" services are defined by the service areas (see, for example, claim 1). That is, the present invention essentially makes a decision (an additional decision) not made by Peters. In a certain sense the preset invention could start with the Peters system, and then goes beyond Peters and adds a decision about what service to provide depending on in what locationally defined area the user is located.

In Peters, if a user is outside one of the service areas A1-A6 and the user desires to receive the service provided by one of the locationally defined service areas A1-A6, Peters determines the location of the user and then sends the user a message indicating the location of the nearest of the service areas A1-A6. The user can then read the message and move to the area to obtain the desired service.

In Peters, when the user does not want a particular service provided by one of the locationally defined areas the user is provided a universal service. As a result, Peters is concerned with providing services to a mobile unit when the unit is outside one of the locationally defined areas. In contrast, the present invention, because of the additional decision, is concerned with providing service "in" a locationally defined area (see, for example claim 1). Thus, the teachings of Peters tend to teach away from the present invention as the concerns are different.

Peters is also concerned with guiding a user to an area where a desired and limited service can be obtained. Peters does not consider the system from the point of view of a service provider that wants to be able to operate in a flexible way. In contrast, the present invention does not start with an assumption of limited service but rather concentrates on allowing the service provider to "freely" assign services to the service areas and thus concentrates on allowing the service provider to operate in a different way (see, for example claim 1). This also tends to direct the teachings of Peters away from the present invention.

Because Peters is directed at providing universal service, Peters defines only locations in which the all the services can be obtained. That is, Peters only needs to define locations. In contrast, the present invention corresponds locations with service areas and thus needs to define services "corresponding" to the locations (see, for example claim 1).

The above-discussed features are also emphasized in the other independent claims.

For the above discussed reasons, it is submitted that the present claimed invention patentably distinguishes over Peters and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 2 emphasizes that if the user is not within a defined location, the user is out of the service area. In contrast, Peters provides a limited universal service. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 11 emphasizes that the present invention includes different services that correspond to at least three locations and that the service provided depends on the location. Nothing in the prior art teaches or suggests such. It is submitted that the new claim distinguishes over the prior art.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The

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claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.


Respectfully submitted,

STAAS & HALSEY LLP

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12/30/3

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